

UNITED STATES DISTRICT COURT

for the

Southern District of Mississippi

Barbara W. Bruce

Plaintiff

v.

Mississippi Division of Medicaid; et al.

Defendant

Civil Action No. 5:18-cv-00085-DCB-JCG

SUBPOENA TO PRODUCE DOCUMENTS, INFORMATION, OR OBJECTS
OR TO PERMIT INSPECTION OF PREMISES IN A CIVIL ACTION

To:

Mississippi State Personnel Board
210 East Capitol Street, Suite 800, Jackson, Mississippi 39201*(Name of person to whom this subpoena is directed)*

☒ **Production:** **YOU ARE COMMANDED** to produce at the time, date, and place set forth below the following documents, electronically stored information, or objects, and to permit inspection, copying, testing, or sampling of the material:

All documents identified on Exhibit "A" attached herewith.

Place: Adcock & Morrison, PLLC
P.O. Box 3308
Ridgeland, MS 39158

Date and Time:

04/17/2019 12:00 pm

☐ **Inspection of Premises:** **YOU ARE COMMANDED** to permit entry onto the designated premises, land, or other property possessed or controlled by you at the time, date, and location set forth below, so that the requesting party may inspect, measure, survey, photograph, test, or sample the property or any designated object or operation on it.

Place:

Date and Time:

The following provisions of Fed. R. Civ. P. 45 are attached – Rule 45(c), relating to the place of compliance; Rule 45(d), relating to your protection as a person subject to a subpoena; and Rule 45(e) and (g), relating to your duty to respond to this subpoena and the potential consequences of not doing so.

Date: 04/03/2019

CLERK OF COURT

OR

*Signature of Clerk or Deputy Clerk**Will Iverson*
*Attorney's signature*The name, address, e-mail address, and telephone number of the attorney representing *(name of party)*

Barbara W. Bruce, who issues or requests this subpoena, are:

William C. Iverson; Adcock & Morrison, PLLC, P.O. Box 3308, Ridgeland, MS 39158; 601-898-9887; wiverson@adcockandmorrison.com

Notice to the person who issues or requests this subpoena

If this subpoena commands the production of documents, electronically stored information, or tangible things or the inspection of premises before trial, a notice and a copy of the subpoena must be served on each party in this case before it is served on the person to whom it is directed. Fed. R. Civ. P. 45(a)(4).

Exhibit A

- I. All documents and electronically-stored information reflecting or relating to job/vacancy request, advertisement, recruitment, application, evaluation, interview, appointment, selection, review, approval and hiring for both [1] the job notification dated September 13, 2016 ("*Bureau Only*") for the position of Bureau Director, Deputy at the Natchez Regional Office, Mississippi Division of Medicaid, and [2] the job notification dated November 14, 2016 ("*Open Competitive*") for the position of Bureau Director, Deputy at the Natchez Regional Office, Mississippi Division of Medicaid; including, but not limited to, the following subjects/documents for both job notifications:
- i. Personnel Action Request Forms (PARF) and Recruitment (Requisition) Requests;
 - ii. Job notifications, advertisements and postings, and requests for both the "Bureau Only" posting and the "Open Competitive" posting;
 - iii. Referral lists and position employee data, including requests for the referred lists and any actions taken with respect to the referred lists;
 - iv. Applicant selection criteria used for determining eligibility, for offering an interview, and for selection.
 - v. Requests, notifications, approvals and related documents for declining to interview and/or make a selection from the referred list of candidates or otherwise canceling/terminating the referral list and recruitment, with respect the first "Bureau Only" job notification dated 9/13/16;
 - vi. All applications, notifications, correspondence, requests, evaluations and approvals, with respect to applicant Barbara W. Bruce (for both job notifications) and to applicant Beverly S. Goodman (for the second job notification dated 11/14/16);

- vii. Requests for substitution of minimum qualifications, and requests for waiver of minimum qualifications (if any), with respect to applicant Beverly S. Goodman (for the second job notification dated 11/14/16);
 - viii. Interview documents and applicant selection criteria, including interview packets for Barbara W. Bruce and Beverly S. Goodman; and
 - ix. All other documents, forms and correspondence which in any way relate to the foregoing job notifications with respect to Barbara W. Bruce and/or Beverly S. Goodman, and/or which is otherwise required by the *MSPB Policy and Procedures Manual* or the *DOM Employee Manual* for the subject job notifications and recruitment/selection process.
- II. All documents and electronically-stored information reflecting or relating to the drafting, developing and approving (including any drafts, comments/notes or reviews) of the job description/duties and minimum qualifications for the Bureau Director, Deputy position at the Mississippi Division of Medicaid (as reflected in both job notification dated 9/13/16 and 11/14/16).

AO 88A (Rev. 02/14) Subpoena to Testify at a Deposition in a Civil Action (Page 2)

Civil Action No. _____

PROOF OF SERVICE*(This section should not be filed with the court unless required by Fed. R. Civ. P. 45.)*

I received this subpoena for (name of individual and title, if any) MS State Personnel Board
 on (date) 4/3/19.

☒ I served the subpoena by delivering a copy to the named individual as follows: Joe Goff

_____ on (date) 4/4/19; or

☐ I returned the subpoena unexecuted because: _____

Unless the subpoena was issued on behalf of the United States, or one of its officers or agents, I have also
 tendered to the witness the fees for one day's attendance, and the mileage allowed by law, in the amount of
 \$ _____.

My fees are \$ _____ for travel and \$ _____ for services, for a total of \$ 0.00.

I declare under penalty of perjury that this information is true.

Date: 4/4/19

Hailey Gann

 Server's signature
Hailey Gann

 Printed name and title

 Server's address

Additional information regarding attempted service, etc.: